



Sen. Chris Lauzen

Filed: 3/9/2011

09700SB2215sam001

LRB097 10362 HLH 50968 a

1 AMENDMENT TO SENATE BILL 2215

2 AMENDMENT NO. _____. Amend Senate Bill 2215 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 17-11 and 24B-16 as follows:

6 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

7 Sec. 17-11. On receipt of his ballot the voter shall
8 forthwith, and without leaving the inclosed space, retire
9 alone, or accompanied by children as provided in Section 17-8,
10 to one of the voting booths so provided and shall prepare his
11 ballot by making in the appropriate margin or place a cross (X)
12 opposite the name of the candidate of his choice for each
13 office to be filled, or by writing in the name of the candidate
14 of his choice in a blank space on said ticket, making a cross
15 (X) opposite thereto; and in case of a question submitted to
16 the vote of the people, by making in the appropriate margin or

1 place a cross (X) against the answer he desires to give. A
2 cross (X) in the square in front of the bracket enclosing the
3 names of a team of candidates for Governor and Lieutenant
4 Governor counts as one vote for each of such candidates. Before
5 leaving the voting booth the voter shall fold his ballot in
6 such manner as to conceal the marks thereon. He shall then vote
7 forthwith in the manner herein provided, except that the number
8 corresponding to the number of the voter on the poll books
9 shall not be indorsed on the back of his ballot. He shall mark
10 and deliver his ballot without undue delay, and shall quit said
11 inclosed space as soon as he has voted; except that immediately
12 after voting, the voter shall be instructed whether the voting
13 equipment, if used, accepted or rejected the ballot ~~or~~
14 ~~identified the ballot as under voted for a statewide~~
15 ~~constitutional office. A voter whose ballot is identified as~~
16 ~~under voted may return to the voting booth and complete the~~
17 ~~voting of that ballot.~~ A voter whose ballot is not accepted by
18 the voting equipment may, upon surrendering the ballot, request
19 and vote another ballot. The voter's surrendered ballot shall
20 be initialed by the election judge and handled as provided in
21 the appropriate Article governing that voting equipment.

22 No voter shall be allowed to occupy a voting booth already
23 occupied by another, nor remain within said inclosed space more
24 than ten minutes, nor to occupy a voting booth more than five
25 minutes in case all of said voting booths are in use and other
26 voters waiting to occupy the same. No voter not an election

1 officer, shall, after having voted, be allowed to re-enter said
2 inclosed space during said election. No person shall take or
3 remove any ballot from the polling place before the close of
4 the poll. No voter shall vote or offer to vote any ballot
5 except such as he has received from the judges of election in
6 charge of the ballots. Any voter who shall, by accident or
7 mistake, spoil his ballot, may, on returning said spoiled
8 ballot, receive another in place thereof only after the word
9 "spoiled" has been written in ink diagonally across the entire
10 face of the ballot returned by the voter.

11 Where voting machines or electronic voting systems are
12 used, the provisions of this section may be modified as
13 required or authorized by Article 24, 24A, 24B, or 24C,
14 whichever is applicable, except that the requirements of this
15 Section that (i) the voter must be notified of the voting
16 equipment's acceptance or rejection of the voter's ballot or
17 identification of an under-vote for a statewide constitutional
18 office and (ii) the voter shall have the opportunity to correct
19 an under-vote or surrender the ballot that was not accepted and
20 vote another ballot shall not be modified.

21 (Source: P.A. 94-288, eff. 1-1-06; 95-699, eff. 11-9-07.)

22 (10 ILCS 5/24B-16)

23 Sec. 24B-16. Approval of Precinct Tabulation Optical Scan
24 Technology Voting Systems; Requisites. The State Board of
25 Elections shall approve all Precinct Tabulation Optical Scan

1 Technology voting systems provided by this Article.

2 No Precinct Tabulation Optical Scan Technology voting
3 system shall be approved unless it fulfills the following
4 requirements:

5 (a) It enables a voter to vote in absolute secrecy;

6 (b) (Blank);

7 (c) It enables a voter to vote a ticket selected in
8 part from the nominees of one party, and in part from the
9 nominees of any or all parties, and in part from
10 independent candidates, and in part of candidates whose
11 names are written in by the voter;

12 (d) It enables a voter to vote a written or printed
13 ticket of his or her own selection for any person for any
14 office for whom he or she may desire to vote;

15 (e) It will reject all votes for an office or upon a
16 proposition when the voter has cast more votes for the
17 office or upon the proposition than he or she is entitled
18 to cast;

19 (e-5) (Blank) ~~It will identify when a voter has not~~
20 ~~voted for all statewide constitutional offices; and~~

21 (f) It will accommodate all propositions to be
22 submitted to the voters in the form provided by law or,
23 where no form is provided, then in brief form, not to
24 exceed 75 words.

25 The State Board of Elections shall not approve any voting
26 equipment or system that includes an external Infrared Data

1 Association (IrDA) communications port.

2 The State Board of Elections is authorized to withdraw its
3 approval of a Precinct Tabulation Optical Scan Technology
4 voting system if the system fails to fulfill the above
5 requirements.

6 The vendor, person, or other private entity shall be solely
7 responsible for the production and cost of: all application
8 fees; all ballots; additional temporary workers; and other
9 equipment or facilities needed and used in the testing of the
10 vendor's, person's, or other private entity's respective
11 equipment and software.

12 Any voting system vendor, person, or other private entity
13 seeking the State Board of Elections' approval of a voting
14 system shall, as part of the approval application, submit to
15 the State Board a non-refundable fee. The State Board of
16 Elections by rule shall establish an appropriate fee structure,
17 taking into account the type of voting system approval that is
18 requested (such as approval of a new system, a modification of
19 an existing system, the size of the modification, etc.). No
20 voting system or modification of a voting system shall be
21 approved unless the fee is paid.

22 No vendor, person, or other entity may sell, lease, or
23 loan, or have a written contract, including a contract
24 contingent upon State Board approval of the voting system or
25 voting system component, to sell, lease, or loan, a voting
26 system or Precinct Tabulation Optical Scan Technology voting

1 system component to any election jurisdiction unless the voting
2 system or voting system component is first approved by the
3 State Board of Elections pursuant to this Section.

4 (Source: P.A. 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)".